Office of the Commissioner of Lobbying of Canada

Commissariat au lobbying du Canada

Privacy Act

ANNUAL REPORT 2017-18

This publication is available upon request in accessible formats.

For a print copy of this publication, please contact:

Office of the Commissioner of Lobbying
255 Albert Street, 10th Floor
Ottawa ON• K1P 6A9

Tel.: (613) 957-2760
Fax: (613) 957-3078
Email: **questionslobbying@ocl-cal.gc.ca**

This publication is also available electronically on the Web in HTML and PDF formats at the following address: www.lobbycanada.gc.ca.

Permission to Reproduce
Except as otherwise specifically noted, the information in this publication may be reproduced, in part or in whole and by any means, without charge or further permission from the Office of the Commissioner of Lobbying, provided that due diligence is exercised in ensuring the accuracy of the information reproduced; that the Office of the Commissioner of Lobbying is identified as the source institution; and, that the reproduction is not represented as an official version of the information reproduced, nor as having been made in affiliation with, or with the endorsement of the Office of the Commissioner of Lobbying.

For permission to reproduce the information in this publication for commercial redistribution purposes, please email: **questionslobbying@ocl-cal.gc.ca.**

Cat. No. Lo2-1/2E-PDF
ISSN 1925-9816

Aussi offert en français sous le titre
Commissariat au lobbying – Loi sur la protection des renseignements personnels – Rapport annuel 2017-2018

Table of contents

Introduction 1

The Office of the Commissioner of Lobbyi 1

Responsibility for Information Rights / Delegation of Authority 2

Administration of the Privacy Act 3

Statistical Report 3

Fees 3

Information Holdings 3

OCL Website 3

Reading Room 3

Education and Training Activities 3

Privacy Impact Assessments 3

Disclosure of Personal Information 4

New/Revised Policies, Guidelines and Procedures Implemented 4

Complaints 4

Appeals to the Federal Court 4

Data Matching and Sharing Activities 4

Time to Process Access to Information Request Monitoring 4

Material Privacy Breaches 4

Annex A – Delegation Orders 5

Annex B – 2017-18 Statistical Report 7

Introduction

The *Privacy Act* (Revised Statute of Canada 1985, Chapter P-21) was proclaimed on July 1, 1983.

The *Privacy Act* extends to individual Canadian citizens and permanent residents, the right of access to information about themselves held by the government, subject to specific and limited exceptions. The *Privacy Act* also protects the individual's right to privacy by preventing others from having access to personal information and gives individuals substantial control over its collection and use.

Section 72 of the *Privacy Act* requires that the head of every government institution prepare an annual report on the administration of the *Privacy Act* within the institution during each financial year for submission to Parliament.

This annual report is submitted by the Office of the Commissioner of Lobbying (OCL) in accordance with the *Privacy Act*. It describes how the OCL fulfilled its responsibilities in fiscal year 2017-18.

The Office of the Commissioner of Lobbying

The Commissioner of Lobbying is responsible for the administration of the *Lobbying Act* (the Act) and the Code. The Office of the Commissioner of Lobbying (OCL) supports the Commissioner in her mandate. The authority of the Commissioner is derived from the Act. The legislation seeks to improve transparency and accountability regarding communications between lobbyists and federal public office holders and increase the confidence of Canadians in the integrity of government decision-making.

The mandate of the Commissioner is threefold:

- establish and maintain the Registry of Lobbyists, which contains and makes public the registration information disclosed by lobbyists;
- develop and implement educational programs to foster public awareness of the requirements of the Act; and
- undertake administrative reviews and investigations to ensure compliance with the Act and the *Lobbyists' Code of Conduct* (the Code)

Under the Act, the Commissioner of Lobbying also has the authority to grant exemptions to former designated public office holders who are subject to a five-year prohibition on lobbying activities.

The Commissioner reports annually to Parliament on the administration of the Act and the Code. The Commissioner is also required to table to Parliament reports on investigations, which include her findings, conclusions and the reasons for her conclusion.

Responsibility for Information Rights / Delegation of Authority

The *Privacy Act* provides the authority to exercise full powers to the Commissioner of Lobbying. The OCL's Access to Information and Privacy (ATIP) Coordinator is delegated the authority via a Delegation Order, of which copies are attached in Annex A. The OCL has two positions responsible for the administration of the *Privacy Act*, an ATIP Coordinator and an ATIP Advisor.

The Director of Registration and Clients services was the ATIP Coordinator from April 2017 to June 2017 and the Director of Internal Service and Chief Financial was that ATIP Coordinator from June 2017 to April 2018. The ATIP Coordinator is responsible for the development, coordination and implementation of effective policies, guidelines and procedures to manage the OCL's compliance with the *Privacy Act*. The Coordinator makes decisions on the disposition of requests under the *Privacy Act*, promotes awareness of the legislation to ensure organizational responsiveness to its obligations, as well as monitors and advises on compliance with the *Privacy Act*, regulations, procedures and policies. Further, the Coordinator acts as spokesperson for the OCL in dealings with the Treasury Board Secretariat, the Privacy Commissioner, and other government departments and agencies. The Coordinator is also responsible for conducting consultations with other governments within Canada and other federal organizations, as required. Finally, the Coordinator is the point of contact on issues involving the collection of personal information and privacy.

The ATIP Advisor is responsible for processing the requests received under the *Privacy Act* and making recommendations to the ATIP Coordinator on the disposition of any requests received. Under the authority of the Act, the OCL collects personal information from registrants and the disclosures filed by registrants are accessible on the OCL's website at the following address: www.lobbycanada.gc.ca.

Reports on Investigations that are completed must be tabled in both Houses of Parliament. They are also posted on the OCL's website.

Administration of the Privacy Act

Statistical Report

The annual Statistical Report is attached as Appendix B.

In 2017-18, the OCL didn't received any request under the *Privacy Act*.

Fees

No fees are applicable under the *Privacy Act*.

Information Holdings

The OCL is responsible for providing a full accounting of information holdings to the Treasury Board Secretariat and ensuring that updates are provided for inclusion in the *Info Source* publication. This publication contains a description of the classes of institutional records held by the OCL. The OCL does not have any exempt banks.

Info Source can be obtained through public or academic libraries or it may be viewed online on the Treasury Board Secretariat's website at www.infosource.gc.ca.

OCL Website

The OCL's website at www.lobbycanada.gc.ca, allows the user to access and search the Registry of Lobbyists, as well as to obtain copies of reports, including the OCL's annual reports on Access to Information and Privacy. Summaries of completed requests are available on the OCL website.

Reading Room

A reading room is available at the OCL's office, situated on the 10th Floor at 255 Albert Street, Ottawa, Ontario, Canada K1P 6A9.

Education and Training Activities

There were no training activities provided to employees of the OCL during 2017-18.

Privacy Impact Assessments

No Privacy Impact Assessment (PIA) was completed for the period of 2017-18.

Disclosure of Personal Information

There were no disclosures of personal information by the OCL during the reporting period pursuant to each of the following provisions of the *Privacy Act*: paragraphs 8(2)(*m*), 19(1)(*e*) or (*f*), or sections 22.2, 22.3, 69.1 or 70.1.

New/Revised Policies, Guidelines and Procedures Implemented

No new or revised policies, guidelines or procedures were implemented during 2017-18.

Complaints

No complaints concerning the *Privacy Act* were received from the Office of the Privacy Commissioner during 2017-18.

Appeals to the Federal Court

There were no appeals filed during 2017-18.

Data Matching and Sharing Activities

No data matching or sharing activities were undertaken during 2017-18.

Time to Process Access to Information Request Monitoring

Given the small number of requests received and processed by the OCL, no formal monitoring system was required during the reporting period.

Material Privacy Breaches

No Material Privacy Breaches occurred during 2017-18.

Annex A – Delegation Orders

Commissioner of Lobbying Commissaire au lobbying

Ottawa, Canada K1A 0R5

Access to Information Act* and *Privacy Act

Delegation Order

The Commissioner of Lobbying, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby designates the person holding the position set out in the schedule hereto, or the person occupying on an acting basis that position, to exercise the powers, duties and functions of the Commissioner of Lobbying as the head of the Office of the Commissioner of Lobbying, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Schedule

Position	*Access to Information Act* and Regulations	*Privacy Act* and Regulations
Director of Registration and Client Services	Full authority	Full authority

Dated, at the City of Ottawa, this 1st day of April 2017,

Karen E. Shepherd

Commissioner of Lobbying | Commissaire au lobbying

Ottawa, Canada K1P 6A9

Access to Information Act and *Privacy Act*

Delegation Order

The Commissioner of Lobbying, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby designates the person holding the position set out in the schedule hereto, or the person occupying on an acting basis that position, to exercise the powers, duties and functions of the Commissioner of Lobbying as the head of the Office of the Commissioner of Lobbying, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Schedule

Position	*Access to Information Act* and Regulations	*Privacy Act* and Regulations
Director, Internal Services and Chief Financial Officer	Full authority	Full authority

Dated, at the City of Ottawa, this Tuesday July 4, 2017,

Karen E. Shepherd

Annex B – 2017-18 Statistical Report

Government of Canada / Gouvernement du Canada

Statistical Report on the *Privacy Act*

Name of institution: Office of the Commissioner of Lobbying of Canada.

Reporting period: 2017-04-01 to 2018-03-31

Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	0
Total	0
Closed during reporting period	0
Carried over to next reporting period	0

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of Requests	Completion Time							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0		0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

TBS/SCT 350-63 (Rev. 2014/03)

Canada

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
69(1)(a)	0	70(1)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	0	0	0
Disclosed in part	0	0	0
Total	0	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	0	0	0
Disclosed in part	0	0	0
All exempted	0	0	0
All excluded	0	0	
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Part 3: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	15(a)(i) Interference With Operations	15(a)(ii) Consultation		15(b) Translation or Conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0

Part 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of Days Required to Complete Consultation Requests							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Part 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101–500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	0

Part 10: Resources Related to the *Privacy Act*

10.1 Costs

Expenditures		Amount
Salaries		$6,715
Overtime		$0
Goods and Services		$0
• Professional services contracts	$0	
• Other	$0	
Total		**$6,715**

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.10
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.10

Note: Enter values to two decimal places.